REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1-39 have been cancelled without prejudice. Claims 40-69 have been added and are now pending in this application.

Rejections under 35 U.S.C §112

In Section 4 of the Office Action, Claims 1-9, 14-22, and 27-35 are rejected under 35 U.S.C §112 as "being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention." The Examiner asserts, in Section 4 of the Office Action, that "having a document with the identified data item placed on each of the one or more fields shows that the identified data item is already filled in the one or more fields" and that it is unclear why dependent Claim 2 "repeats that feature when stating that populating the one or more fields of the document with the identified data items." This ambiguity is no longer present as Claims 1-39 have been replaced by new Claims 40-63. Applicants respectfully request withdrawal of the rejection.

In Section 4 of the Office Action, Claim 6 is rejected under 35 U.S.C. § 112. The Examiner asserts that "populating the one or more fields with the identified data items indicates that the designed document and the linked data item are already in a single file after populating the template with data." This ambiguity is no longer present as Claims 1-39 have been replaced by new Claims 40-63. Applicants respectfully request withdrawal of the rejection.

Rejections under 35 U.S.C §103(a)

In Section 7 of the Office Action, Claims 1-5, 7-17, 19-30, and 32-39 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,684,369 (Bernardo et al.) in view of U.S. Patent 5,983,227 (Nazem et al.). In Section 8 of the Office Action, Claims 5, 18, and 31 are rejected as being unpatentable over "Bernardo and Nazem as applied in claims 1, 14, and 27 above and further in view" of U.S. Patent 6,330,575 (Moore et al.). Applicants reserve the right to swear behind Bernardo et al. and Moore et al. Applicants respectfully traverse the rejections.

Claims 40-69. Claims 41-49 depend from Claim 40. Claims 51-59 depend from Claim 50. Claims 61-69 depend from Claim 60. Claim 40 recites:

> designating a changeable field within a template wherein the changeable field includes a name;
> **linking a plurality of data items to the changeable field;**
> **creating a form wherein the form comprises the name of the changeable field paired with a list of the plurality of data items linked to the changeable field;**
> selecting a data item from the plurality of data items linked to the changeable field; and
> populating the changeable field of the template with the selected data item thereby generating a document.

Claims 50 and 60 recite:

> receive a changeable field designated by a user within a template wherein the changeable field includes a name;
> **link a plurality of data items to the changeable field;**
> **create a form wherein the form comprises the name of the changeable field paired with a list of the plurality of data items linked to the changeable field;**
> receive a data item selected by the user from the plurality of data items linked to the changeable field; and
> populate the changeable field of the template with the selected data item thereby generating a document.

The cited art describes **use** of pre-defined templates for creating web sites. The cited art does not disclose at least the limitations of "linking a plurality of data items to the changeable field" or "creating a form wherein the form comprises the name of the changeable field paired with a list of the plurality of data items linked to the changeable field" as recited in claims 40, 50, and 60. With respect to claim 1, the Examiner states that:

> It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Nazem into Bernardo since Nazem discloses the user preference templates and the live data to fill the templates. This suggest linking data to the fields in the document design since *the live data used to fill the templates is related to the template* ....

(Page 6, Office Action dated 4/7/2004)

Applicants respectfully disagree. Bernardo et al. describes "a tool for creating a Web site where the tool comprises a library of stored templates (including fields) associated with different options/features for a Web site." (Col. 2, lines 48-51). FIG. 3 of Bernardo et al. indicates that a user can not select from data items in the template. The user is prompted for data to enter in each field. Bernardo et al. describes allowing a user to "select the features and options desired for the Web site. Based on these selections, the tool prompts the web site creator to **supply data to populate fields of the templates** determined by the tool to correspond to the selected features and options." (Col. 3, lines 49-53, Emphasis added). As a result, Bernardo et al. fails to describe, suggest, or teach at least the limitations of "linking a plurality of data items to the changeable field" and "creating a form wherein the form comprises the name of the changeable field paired with a list of the plurality of data items linked to the changeable field."

Nazem et al. discloses "user preferences [that] are organized into templates stored in compact data structures and the live data used to fill the templates is stored local to the page server." (Col. 1, lines 62-65). Nazem et al. further discloses that "FIG. 4 is an illustration of user template 202." (Col. 5, line 12). FIG. 4 shows that the user template is an HTML document wherein the user can set "selections of stock quote symbols, team scores, and weather cities." (Col. 5, lines 42-43). "[I]ntelligent defaults are selected by the system prior to user selection, so that users unfamiliar with the **customization process** will nonetheless be able to view non empty custom pages." (Col. 5, lines 44-47, Emphasis added). The user makes selections thereby customizing the web page by **manually entering** the desired symbols in the HTML code.

The live data described in Nazem et al. is not linked to the template in any way. To display the live data described in Nazem et al., the user must manually enter the desired code in the HTML field as shown in FIG. 4 of Nazem et al. The selection entered in the HTML code is then **interpreted** just as the remaining HTML code shown in Appendix A, FIG. 3, and FIG. 4 of Nazem et al. The HTML code and the live data may be located in a "large region of shared memory," but they **are not linked**. The browser interprets the HTML code and then accesses the item manually entered in the HTML code by the user. Thus, Nazem et al. fails to describe, suggest, or teach at least the limitations of "linking a plurality of data items to the changeable

field" and "creating a form wherein the form comprises the name of the changeable field paired with a list of the plurality of data items linked to the changeable field."

In Section 8 of the Office Action, Claims 5, 18, and 31 are rejected as being unpatentable over "Bernardo and Nazem as applied in claims 1, 14, and 27 above and further in view" of U.S. Patent 6,330,575 (Moore et al.). Moore et al. describes a "template-driven interface for a customer or merchant to utilize in the design of a Web page or a complete Web site." (Abstract). "Page styles allocate certain portions of each page to text, images, multimedia, etc." (Col. 11, lines 27-28). Moore et al. further describes, with reference to FIGs. 10-13, that "each of the style components must be filled in. To do this, the merchant clicks on the style component and the Development Tool presents a 'dialog' box which steps the merchant through the choices necessary to fill in the style component." (Col. 11, lines 38-42). FIG. 11 of Moore et al. shows a **dialog box** that is opened when a user **selects the field from the template** shown in FIG. 10. (Col. 11, lines 35-40). Thus, Moore et al. fails to describe, suggest, or teach at least the limitations of "linking a plurality of data items to the changeable field" and "creating a form wherein the form comprises the name of the changeable field paired with a list of the plurality of data items linked to the changeable field."
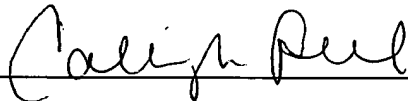
Thus, neither Bernardo et al., Nazem et al., nor Moore et al. describe, suggest, or teach at least the limitations of "linking a plurality of data items to the changeable field" and "creating a form wherein the form comprises the name of the changeable field paired with a list of the plurality of data items linked to the changeable field." As a result, Bernardo et al., Nazem et al., and Moore et al. fail to disclose, suggest, or teach all of the limitations of claims 40, 50, and 60. An obviousness rejection cannot be properly maintained where the references used in the rejection do not disclose all of the recited claim elements. Applicants respectfully request allowance of claims 40, 50, and 60. Applicants respectfully traverse any arguments posed by Examiner relative to claims 41-49, 51-59, and 61-69 as they are allowable for at least the reasons outlined above relative to claims 40, 50, and 60. Therefore, Applicants respectfully request allowance of claims 40-69.

For the foregoing reasons, it is submitted that all of the pending claims in this application should be in condition for allowance. The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2350. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2350. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-2350.

Respectfully submitted,

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